

REMARKS/ARGUMENTS

Prior to this Amendment and Response, claims 1-13 were pending in the present application. Through this Reply, Applicant has amended Claims 1 and 3, and added new Claim 14. No claims have been canceled. Accordingly, following the entry of the present Amendment, Claims 1-14 will be pending in the present application. Reconsideration of the present application is respectfully requested in light of the above amendments and the following remarks.

The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has amended Claims 1 and 3 to further clarify the claimed subject matter. Applicant submits that the claims, as amended, comply with 35 U.S.C. §112, second paragraph.

The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. Applicant has amended Claims 1 and 3 to further clarify the claimed subject matter. Applicant submits that the claims, as amended, comply with 35 U.S.C. §112, first paragraph.

The Examiner has rejected Claims 1-3, and 7-10 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,991,922 to Banks (hereinafter "Banks '922"). The Examiner asserts that Banks '922 discloses a garment comprising conductive material which is connected to an electronic voltmeter for the purpose of displaying values to the wearer.

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Applicant noted that a certified English translation of the foreign priority document has been previously submitted. The foreign priority date for the present application is November 27, 1997. Applicant has previously forwarded a certified copy of the priority document to the U.S. Patent Office, and, as noted at page 1 of the Office Action Summary, the claim for foreign priority has been acknowledged and all certified copies of the priority documents have been received. Accordingly, Applicant submits that the claim for foreign priority has been made and perfected, and that the foreign priority date antedates the 35 U.S.C. §102(e) date of Banks '922.

The Examiner asserts that Banks '922 may still be relied upon since the filing date of Banks CIP, U.S. Patent No. 5,715,536 (hereinafter "Banks '536") precedes the Applicant's foreign priority date. Applicant submits that Banks '536 does not teach or suggest all of the limitations of the present invention, as claimed. Particularly, Banks '536 does not teach or suggest an electronic circuit operable to substantially completely dispel an electromagnetic signal. Banks '536 discloses only a grounding cord (72) for discharging accumulated static electricity from the garment. The portion of Banks '922 which the Examiner relies upon to disclose such an electronic circuit is the voltmeter (86) is not operable to substantially completely dispel an electromagnetic signal.

The Examiner has rejected Claims 4-6 and 11-13 under 35 U.S.C. §103(a) as being unpatentable over Banks as applied to Claim 1. Similarly as described above, Applicant submits that Banks '922 neither teaches or suggests a garment including an electronic circuit operable to substantially completely dispel an electromagnetic signal. Accordingly, applicant submits that


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Claims 4-6 and 11-13, which depend (directly or indirectly) from Claim 1, are likewise allowable for at least the same reasons as Claim 1.

Applicant has added new Claim 14. Applicant submits that Claim 14 is in condition for allowance for similar reasons as described above. Furthermore, Claim 14 provides additional reasons for allowance. Particularly, Claim 14 requires that the electronic circuit dispels an electromagnetic signal independently of any other connections to the garment. The garment as disclosed in Banks requires a separate grounding connection (72) to dispel charges from the garment. Therefore, Applicant submits that the cited references contain no teaching or suggestion of the electromagnetic field deflecting garment as claimed in claim 14.

Based upon the foregoing, Applicant believes that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,  
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